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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,571	04/07/2000	Rajeev Chawla	06502.0177	1838

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EXAMINER

FERRIS, DERRICK W

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/545,571

Applicant(s)

CHAWLA ET AL.

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46,48-56,58-66,68-76 and 78-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41-46,48-56,58-66,68-76 and 78-80 is/are allowed.
- 6) ☒ Claim(s) 1-6,8-16,18-26,28-36 and 38-40 is/are rejected.
- 7) ☒ Claim(s) 7,17,27 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. **Claims 1-46, 48-56, 58-66, 68-76, and 78-80** as amended are still in consideration for this application. Applicant has amended claims 1-8, 10-18, 20-28, 30-38, 40-46, 50-56, 58, 60-66, 68, 70-76, 78, and 80. Applicant has canceled claims 47, 57, 67, and 77.
2. Examiner **withdraws** the objections to the specification for Office action filed 09/08/2003. Examiner thanks applicant for making the necessary changes.
3. Examiner **withdraws** the claim objection(s) for Office action filed 09/08/2003. Examiner thanks applicant for making the necessary changes.
4. Examiner **withdraws** the anticipated rejection to *Templin* for Office action filed 09/08/2003. In addressing applicant's arguments in the response filed 12/05/2003, the examiner notes two groups of claims, group I comprising claims 1-6, 8-10; 11-16, 18-20; 21-26, 28-30; and 31-36, 38-40 and group II comprising claims 7, 17, 27, 37, 41-46, 48-50; 51-56, 58-60; 61-66, 68-70; and 71-76, 78-80. With respect to group I at issue for the independent claims is the following limitation (or equivalent): "*determining a destination address corresponding to the destination based client address*". Examiner notes a reasonable but broad interpretation of "determining". As such, please see the new obviousness rejection below for the claims as amended. As to group 2, see reasons for allowance below.
5. Examiner does **not withdraw** the obviousness rejection to *Templin* in view of *Aviani*, and *Templin* in view of *Aviani* and in further view of *Coile* for Office action filed 09/08/2003. In addressing applicant's arguments in the response filed 12/05/2003, see similar reasoning applied above for the independent claims.

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Information Disclosure Statement

6. Examiner has attached a copy of IDS filed 10/10/2000 since the PTO-1449 form may not have been attached to the previous Office action.

Notice of References Cited

The examiner was not able to find PTO form 892 for the previous examiner's Office action filed 09/08/03 in the file wrapper. Recall the examiner uses this form to cite relevant prior art. To expedite prosecution, the examiner has included all the prior art found in the file wrapper on the current PTO-892 form. Any reference used in a previous Office action will be cited (again) on the current form, however, a copy of the reference will not be supplied (i.e., examiner assumes applicant already has a copy). These references are as follows:

- ☐ US005781550A *Templin et al.* (no copy provided)
- ☐ US006532493B1 *Aviani, Jr. et al.* (no copy provided)
- ☐ US006473406B1 *Coile et al.* (no copy provided)

Any reference, not used in a previous rejection is also cited on the current PTO-892 form and a copy of the reference will be provided. These references are as follows:

- ☐ US006006268A *Coile et al.* (copy provided)
- ☐ US006240461B1 *Cieslak et al.* (copy provided)
- ☐ US006182141B1 *Blum et al.* (copy provided)

If any other references are missing from the previous PTO-892 form filed for Office action 09/08/03, please let the examiner know in the next response and the examiner will include these references on a subsequent PTO-892 form.

Claim Rejections - 35 USC § 103

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1, 3-6, 9-10, 11, 13-16, 19-20, 21, 23-26, 29-30, 31, 33-36, and 39-40** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,781,550 A to *Templin et al.* to ("*Templin*") in view of U.S. Patent No. 6,532,493 B1 to *Aviani, Jr. et al.* ("*Aviani*").

As to **claim 1**, *Templin* discloses a transparent and secure gateway (i.e., transparent proxy) shown as e.g., gateway B in figure 5. With respect to the limitations, establishing a first and second sessions are taught at e.g., column 8, lines 24-36. Receiving a first packet is shown in figure 5 for packet 501. A second packet is created shown as packet 502 where the second packet is sent using the destination address (e.g., see column 7, lines 23-31). A response is received as packet 503 in figure 5. A further step of determining a client address based on the destination address and sending a response back to the client is shown as packet 504.

Templin may be silent or deficient to the further limitation determining a destination address corresponding to the destination based on the client. Examiner notes given a reasonable but broad interpretation "determined" *Templin* does teach determining a destination address (e.g., when the destination address C used in the example since the determined destination is based on the client packet/address). In particular, see column 7, lines 23-30 and column 8, lines 9-13 of *Templin*. For example, an address may be

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determined based on whether a session is already established or not. Assuming, arguendo, that “determining” is not clearly taught by *Templin* then examiner notes the obviousness rejection as follows.

Aviani teaches the further recited limitation above at e.g., column 6, line 1 – column 7, line 16.

Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to include determining a destination address corresponding to the destination based on the client. In particular, one would be motivated to determine an address based on whether a previous connection/session is established. The suggestion or motivation for doing so would have been whether there is information already found in the cache. In particular, *Aviani* cures the above-cited deficiency by providing a motivation found at e.g., column 6, lines 1-5; column 6, lines 37-50 and column 6, line 64 – column 7, line 16.

As to **claim 3**, see e.g., figure 5 of *Templin*.

As to **claim 4**, see e.g., *Aviani* column 6, line 1 – column 7, line 16.

As to **claim 5**, see e.g., *Templin* column 6 and column 8.

As to **claim 6**, see e.g., figure 5 and column 8, lines 39-63 of *Templin*.

As to **claims 9-10**, see column 5, line 53- column 6, line 4 of *Aviani*.

As to **claim 11**, see similar rejection for claim 1.

As to **claim 13**, see similar rejection for claim 3.

As to **claim 14**, see similar rejection for claim 4.

As to **claim 15**, see similar rejection for claim 5.

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As to **claim 16**, see similar rejection for claim 6.

As to **claim 19**, see similar rejection for claim 9.

As to **claim 20**, see similar rejection for claim 10.

As to **claim 21**, see similar rejection for claim 1.

As to **claim 23**, see similar rejection for claim 3.

As to **claim 24**, see similar rejection for claim 4.

As to **claim 25**, see similar rejection for claim 5.

As to **claim 26**, see similar rejection for claim 6.

As to **claim 29**, see similar rejection for claim 9.

As to **claim 30**, see similar rejection for claim 10.

As to **claim 31**, see similar rejection for claim 1.

As to **claim 33**, see similar rejection for claim 3.

As to **claim 34**, see similar rejection for claim 4.

As to **claim 35**, see similar rejection for claim 5.

As to **claim 36**, see similar rejection for claim 6.

As to **claim 39**, see similar rejection for claim 9.

As to **claim 40**, see similar rejection for claim 10.

9. **Claims 2, 8, 12, 18, 22, 28, 32, and 38** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,781,550 A to *Templin et al.* to ("*Templin*") in view of U.S. Patent No. 6,532,493 B1 to *Aviani, Jr. et al.* ("*Aviani*") in further view of U.S. Patent No. 6,473,406 B1 to *Coile et al.* ("*Coile*").

As to **claim 2**, a step of intercepting may not be clearly taught by *Templin* in reference to a first and second type. In particular, see column 5, lines 9-24 and column 6, lines 10-67 of *Templin*.

Coile teaches the further recited limitation above at e.g., column 8, line 10 – 22. Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include forwarding the first packet to the destination if the destination is a first type and performing the steps of determining a destination address, creating a second packet, and sending the second packet if the destination is a second type. In particular, one would be motivated to determine the type of a packet to see if a session has been previously established or to see if the packet belongs on a specific network. In particular, *Coile* cures the above-cited deficiency by providing a motivation found at column 8, line 10 – 22 and column 8, lines 64-66.

As to **claim 8**, *Templin* may be silent or deficient to the further step of storing the address of an intermediate destination in a destination field when the client communication is not a connection setup request.

Coile teaches the further recited limitation above at e.g., column 8, line 10 – 22 and column 9, lines 34-67. Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include a step of storing the address of an intermediate destination in a destination field when the client communication is not a connection setup request. In particular, one would be motivated to store a connection to further expedite the handling of a packet. In particular, *Coile* cures the above-cited

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deficiency by providing a motivation found at column 8, line 10 – 22 and column 9, lines 34-67.

As to **claim 12**, see similar rejection for claim 3.

As to **claim 18**, see similar rejection for claim 8.

As to **claim 22**, see similar rejection for claim 3.

As to **claim 28**, see similar rejection for claim 8.

As to **claim 32**, see similar rejection for claim 3.

As to **claim 38**, see similar rejection for claim 8.

Allowable Subject Matter

10. **Claims 41-46, 48-50; 51-56, 58-60; 61-66, 68-70; and 71-76, 78-80** are allowed.

11. **Claims 7, 17, 27, and 37** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. **Claims 7, 17, 27, 37, 41-46, 48-50; 51-56, 58-60; 61-66, 68-70; and 71-76, 78-80** are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art references which teaches the further limitation (or equivalent) of preparing an intermediate communication having a source field, a destination field, and a temporary field, the preparing including storing a client address in the source field, storing the destination address in the temporary field, and storing an intermediate destination address in the destination field.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US006389462B1 discloses transparent proxy with proxy redirecting (i.e., another motivation for determining the destination address).
- "Classical versus Transparent IP Proxies" to *Chatel* discloses a transparent proxy which includes changing the source and destination addresses.
- "Transparent Proxy Signalling" to *Knutsson* discloses using proxy signaling, e.g., an intermediate communication in general (e.g., see page 3 lower left hand column).

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (703) 305-4225.

The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Derrick W. Ferris
Examiner
Art Unit 2663


DWF


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 2/9/08